

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

MARCUS PRINCE,	§	
Petitioner,	§	
VS.	§	CIVIL ACTION NO. 4:09-CV-104-Y
	§	
NATHANIEL QUARTERMAN, Director,	§	
T.D.C.J., Correctional	§	
Institutions Div.,	§	
Respondent.	§	

ORDER ADOPTING MAGISTRATE JUDGE'S FINDINGS AND CONCLUSIONS

Before the Court is the petition for writ of habeas corpus under 28 U.S.C. § 2254 of petitioner Marcus Prince, along with the July 20, 2009, findings, conclusions, and recommendation of the United States magistrate judge. The magistrate judge gave the parties until August 10 to file written objections to the findings, conclusions, and recommendation. As of the date of this order, no written objections have been filed.¹

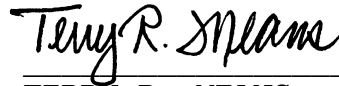
The Court has reviewed the pleadings and the record in this case, and has reviewed for clear error the findings, conclusions and recommendation. The Court concludes that, for the reasons stated by the magistrate judge, the motion to dismiss should be granted and the petition for writ of habeas corpus should be dismissed with prejudice.

Therefore, the findings, conclusions and recommendation of the magistrate judge are ADOPTED.

¹The Court's mailing of the magistrate judge's report to Marcus Prince was returned stamped "Return to Sender--Not in Tarrant County Jail," but Prince has not updated his address of record with the Court. The address on file with the clerk of Court for petitioner Prince remains the same as when he filed the suit. Because Petitioner has failed to keep the Court apprised of his current address as required by the local rules, see N. D. Tex. Civ. R. 83.13 and 83.14, he has not responded to the July 20 report.

The respondent's motion to dismiss (docket no. 11) is GRANTED and Marcus Prince's petition for writ of habeas corpus under 28 U.S.C. § 2254 is DISMISSED WITH PREJUDICE as moot.

SIGNED August 11, 2009.

A handwritten signature in black ink that reads "Terry R. Means". The signature is written in a cursive, flowing style.

TERRY R. MEANS
UNITED STATES DISTRICT JUDGE